

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

KOCH FOODS OF ALABAMA LLC,)	
an Alabama limited liability company)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:07-cv-522-MHT
)	
GENERAL ELECTRIC CAPITAL)	
CORPORATION, a Delaware)	
corporation)	
)	
Defendant and Counter-Plaintiff.)	
)	

ORDER

Pending before the Court is *Koch Foods' Motion to Compel the Depositions of Jim Hanley and Carrie Brock, and to Compel the Production of Documents Relating to Depreciation and Tax Deductions* (Doc. 37, filed December 5, 2007) and *GE Capital's Response to Koch Foods' Motion to Compel the Depositions of Jim Hanley and Carrie Brock, and to Compel the Production of Documents Relating to Depreciation and Tax Deductions* (Doc. 50, filed December 12, 2007). A hearing was held on the motion on December 17, 2007. For good cause, it is **ORDERED** as follows:

- (1) The portion of the motion relating to the tax documents is **DENIED as moot**.

Koch Foods' counsel withdrew that portion of the motion at the hearing and thus the request is rendered moot.
- (2) The motion is **DENIED** with respect to the deposition of Carrie Brock.

- (3) The motion is **GRANTED** with respect to the deposition of Jim Hanley. The deposition will be held in Danbury, Connecticut and is limited to two (2) hours.
- (4) The depositions previously scheduled for December 17, 2007 shall be rescheduled and, further, shall take place in Danbury, Connecticut. All remaining depositions shall take place **on or before December 31, 2007**.

DONE this 18th day of December, 2007.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE